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## William T. Kendall to Senator James O. Eastland, 10 June 1975

William Thomas Kendall

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7 Labor

THE WHITE HOUSE

WASHINGTON

June 10, 1975

Dear Mr. Chairman:

This is in further response to the May 20 letter to the President in which you joined with a number of your colleagues to express concern over remarks contained in a recent speech made by Mr. W. J. Usery, Jr. with respect to collective bargaining for Federal employees. Because of the interest you have expressed, I am enclosing a copy of that speech.

We share your concern over the potential impact that legislation providing collective bargaining rights for Federal employees might have on the day-to-day operations of the government. On the other hand, we also understand and share the concern that Mr. Usery has consistently shown for the collective bargaining rights and obligations of all American workers, including Federal employees, which is his charge under Title II of the Labor-Management Relations Act of 1947, and other legislation and Executive Orders. You may be assured, however, that these represent but one opinion in the current dialogue that surrounds this most important question.

As you may be aware, the President recently signed Executive Order 11831, which amended Executive Order 11491, in order to broaden the effectiveness of negotiations between Government agencies and unions representing their employees.

Please be assured that your views, as well as those of Mr. Usery, will be fully considered before any change is made in our present policy.

With kind regards,

Sincerely,

*Bill*  
William T. Kendall  
Deputy Assistant  
to the President

The Honorable James O. Eastland  
United States Senate  
Washington, D.C. 20510

Enclosure



FEDERAL MEDIATION AND CONCILIATION SERVICE

Washington, D.C.

"Collective Bargaining Challenges  
In The Federal Sector"

An Address by  
W. J. Usery, Jr.

Special Assistant to the President  
and Director, Federal Mediation and Conciliation Service

Presented to:

Sixth Annual Utah Federal Employees Banquet  
Salt Lake Hilton Hotel

May 16, 1975



BEING ASKED TO SPEAK TO A GATHERING  
OF FEDERAL EMPLOYEES--AND ESPECIALLY THOSE  
REPRESENTED BY THE AMERICAN FEDERATION OF  
GOVERNMENT EMPLOYEES--BRINGS PARTICULAR  
PLEASURE TO ME.

AS A FEDERAL EMPLOYEE MYSELF, I  
HAVE THE COMFORTABLE FEELING THAT I'M ONE  
OF THE FAMILY.

WHEN BILL WADE INVITED ME TO JOIN  
YOU FOR THE SIXTH ANNUAL UTAH FEDERAL  
EMPLOYEES BANQUET, IT RANG A BELL WITH ME.  
FOR YOU SEE, I CAME TO THE FEDERAL GOVERNMENT  
AS ASSISTANT SECRETARY OF LABOR IN FEBRUARY  
OF 1969--THE SAME YEAR THAT YOU HELD THE  
FIRST OF THESE MAGNIFICENT BANQUETS.



I HAD A CHANCE TO REFLECT ON THOSE SIX YEARS OF SERVICE LAST SUNDAY WHEN THE UNIVERSITY OF LOUISVILLE INFLATED MY EGO BY AWARDING ME AN HONORARY DOCTORATE IN SOCIAL SCIENCES.

AS I RECEIVED THAT HIGH HONOR, I THOUGHT ABOUT ALL OF THE OPPORTUNITIES THAT I HAVE RECEIVED DURING THESE HALF-DOZEN YEARS OF FEDERAL SERVICE. THROUGH OUR FEDERAL GOVERNMENT, I HAVE BEEN ABLE TO FULFILL SOME LIFE-LONG AMBITIONS TO PROMOTE OUR SYSTEM OF FREE COLLECTIVE BARGAINING. . . TO CONTRIBUTE TO THE DEVELOPMENT OF LABOR-MANAGEMENT PEACE.



AND I AM BOTH PROUD AND HUMBLE  
TO SAY "THANK YOU" TO A SYSTEM AND A  
GOVERNMENT THAT HAS MADE IT POSSIBLE FOR  
A BOY FROM THE SMALL TOWN OF MILLEDGEVILLE,  
GEORGIA, TO CHASE, AND CATCH, HIS FONDEST  
DREAMS.

I KNOW THERE ARE MANY PEOPLE IN  
THIS AUDIENCE WHO SHARE MY FEELING TOWARD  
OUR FEDERAL GOVERNMENT--AND WHO DO THEIR  
VERY BEST TO SERVE THEIR NATION AS GOVERNMENT  
EMPLOYEES.

HUNDREDS OF TIMES DURING THE PAST  
SIX YEARS I HAVE TAKEN A FEW MINUTES BEFORE  
BEGINNING THE FORMAL PART OF A SPEECH TO  
TELL THE AUDIENCE HOW FORTUNATE THEY ARE TO  
HAVE A DEDICATED ARMY OF TWO-AND-A-HALF  
MILLION FEDERAL EMPLOYEES SERVING THEIR  
INTERESTS.



I SAY SUCH THINGS BECAUSE I BELIEVE THEM. AND I BELIEVE THEM BECAUSE THEY ARE A TRUE REFLECTION OF MY OWN PERSONAL EXPERIENCE IN WORKING SIDE-BY-SIDE WITH YOU.

THE RESPONSE OF THE AUDIENCES HAS BEEN GRATIFYING TO A DEGREE THAT HAS SOMETIMES SURPRISED EVEN ME. THAT RESPONSE HAS SHOWN ME THAT THE AMERICAN PEOPLE KNOW THAT YOU ARE FAITHFULLY PERFORMING THE SERVICES THEY EXPECT OF YOU.

I DON'T MEAN TO IMPLY THAT WE HAVE REACHED A STATE OF PERFECTION--WE HAVEN'T; OR THAT WE CAN'T DO MORE--WE CAN.

NOW I'LL ADMIT THAT THERE ARE SOME WHO CONTEND THAT THEIR GOVERNMENT DOES TOO MUCH--A CONDITION THAT HAS LED TO THE EXPECTED OUTPOURING OF STORIES.



I HEARD ONE RECENTLY FROM A  
BUSINESSMAN--OR MAYBE I SHOULD SAY  
BUSINESSPERSON--WHO WAS FUSSING ABOUT  
HIS OBLIGATIONS TO THE IRS, THE EEOC, THE  
FEO, THE EPA, DOT AND THE SBA.

THE STORY HE TOLD TAKES PLACE IN  
BIBLICAL TIMES:

MOSES IS LEADING HIS PEOPLE OUT OF  
EGYPT WITH THE PHARAOH AND HIS ARMY IN HOT  
PURSUIT. SUDDENLY, MOSES FINDS HIMSELF CUT  
OFF BY THE RED SEA.

HE RAISES HIS EYES TO HEAVEN. "OH,  
LORD," HE SAYS, "HELP THY PEOPLE PASS THIS  
GREAT BARRIER."



A VOICE ANSWERS FROM THE HEAVENS.  
BUT IT ISN'T THE THUNDERING VOICE OF AUTHORITY  
MOSES KNOWS SO WELL. IN A RATHER MILD WAY,  
THE VOICE SAID:

"ER, AH, MOSES, I'VE GOT GOOD NEWS  
AND BAD NEWS. THE GOOD NEWS IS THAT AS FAR  
AS THE SEA IS CONCERNED, IT'S NO PROBLEM. I  
CAN PART THOSE WATERS AS CLEAN AS A WHISTLE  
WITH A FLICK OF MY FINGER."

"THE BAD NEWS IS THAT, AH, I NEED A  
PERMIT FROM THE ENVIRONMENTAL PROTECTION  
AGENCY."

THERE ARE OTHERS WHO CLAIM THAT  
GOVERNMENT DOESN'T ALWAYS PRACTICE WHAT IT  
PREACHES. WE ALL KNOW OF EXAMPLES OF THIS.  
ONE THAT COMES TO MY MIND INVOLVES AN  
AGENCY OF THE GOVERNMENT WHICH FOUND FIT  
RECENTLY TO DE-SEX SOME 3,500 JOB TITLES.



YOU PROBABLY READ ABOUT IT. FROM NOW ON, A SEAMSTRESS WILL BE KNOWN AS A CUSTOM SEWER. . . A BREWMASTER IS NOW A BREWING DIRECTOR. . . A GOVERNESS HAS OFFICIALLY BECOME A CHILD MENTOR. . . AND AN ANIMAL HUSBANDMAN IS NOW AN ANIMAL SCIENTIST.

DO YOU KNOW THE TITLE OF THE AGENCY THAT TOOK THIS ACTION TO REMOVE SEXUAL CONNOTATIONS FROM JOB DESCRIPTIONS ?

THAT'S RIGHT. THE MANPOWER ADMINISTRATION.

YES, IT'S TRUE THAT WE HAVEN'T REACHED THE BLESSED STATE OF PERFECTION.

ONE AREA WHERE A GREAT DEAL OF IMPROVEMENT CAN BE MADE INVOLVES OUR WORLD--THE WORLD OF COLLECTIVE BARGAINING.



WE HAVE BEEN SLOW TO BRING THE COLLECTIVE BARGAINING PROCESSES, WHICH HAVE PROVEN TO BE SO FLEXIBLE AND REWARDING TO LABOR AND MANAGEMENT IN THE PRIVATE SECTOR, TO OUR SPHERE OF OPERATIONS.

THE PLIGHT OF THE FEDERAL EMPLOYEE FOR MANY YEARS WAS POINTED TO BY THE TRADE UNION MOVEMENT AS AN EXAMPLE OF JUST HOW TOUGH THINGS COULD BE.

WHEN THE AMERICAN FEDERATION OF LABOR BEGAN TO ASSIGN ORGANIZERS TO HELP WHITE COLLAR FEDERAL EMPLOYEES FORM UNIONS IN 1917, SAMUEL GOMPERS WAS MOVED TO WRITE IN THE AMERICAN FEDERATIONIST--AND THESE ARE HIS WORDS:



"IT IS CLAIMED THAT GOVERNMENT EMPLOYEES HAVE FOREGONE THE RIGHT TO STRIKE. THE GOVERNMENT HAS RESTRICTED THEIR POLITICAL RIGHTS--POLITICAL ACTIVITY IS NOT TOLERATED IN THE SERVICE. MANY EMPLOYEES ARE WOMEN AND THEREFORE HAVE NOT EVEN THE RIGHT TO CAST A BALLOT."

MR. GOMPERS DREW A LESSON FOR PRIVATE-SECTOR WORKERS FROM THEIR LESS-FORTUNATE BROTHERS AND SISTERS WHO WERE EMPLOYED BY THE GOVERNMENT.

"IT IS WELL FOR ALL THE WORKERS TO SERIOUSLY CONSIDER THE PLUNGE INTO GOVERNMENT OWNERSHIP; WHETHER AFTER ALL IT WOULD NOT INVOLVE THE PLIGHT OF JUMPING FROM THE FRYING PAN INTO THE FIRE," HE WARNED.



WHILE MR. GOMPERS TENDED TO  
BLAME GOVERNMENT DEPARTMENT HEADS FOR  
STYMIEING THE DESIRE FOR FULL COLLECTIVE  
BARGAINING AMONG FEDERAL EMPLOYEES, THE  
TRUTH IS THAT NO ONE IN PARTICULAR WAS  
RESPONSIBLE.

THE UNCERTAINTY ABOUT THE PROPER  
BOUNDARIES FOR FEDERAL UNIONISM IS REFLECTED  
IN THE UNION MOVEMENT ITSELF. YOUR OWN  
AFGE CONSTITUTION, FOR EXAMPLE, CONTAINED  
A POPULARLY SUPPORTED NO-STRIKE CLAUSE UNTIL  
JUST THREE YEARS AGO.



I CAN UNDERSTAND THE LONG-TERM  
RELUCTANCE OF THE MEMBERS OF YOUR ORGANIZATION  
AND OTHER UNIONS REPRESENTING FEDERAL  
EMPLOYEES TO REPEAL THE NO-STRIKE CLAUSE.

--FEDERAL WORKERS FOR NEARLY A  
CENTURY HAVE HAD RATHER SUBSTANTIAL SUCCESS  
IN LOBBYING FOR DECENT WAGES, ADEQUATE  
FRINGE BENEFITS AND GOOD CONDITIONS OF WORK.

--THE LAW SAID THAT ANYONE ENGAGING  
IN A STRIKE AGAINST THE FEDERAL GOVERNMENT  
COULD WIND UP IN JAIL.

--IN TRUTH, STRIKES ARE NO MORE  
POPULAR WITH WORKERS THAN THEY ARE WITH  
MANAGEMENT.



WHY, THEN, HAVE WE SEEN AN ABRUPT CHANGE IN POSTURE ? WHY ARE SO MANY PEOPLE, LIKE MYSELF, CALLING FOR THE IMPLEMENTATION OF LEGISLATED COLLECTIVE BARGAINING RIGHTS FOR FEDERAL EMPLOYEES ?

THERE ARE A NUMBER OF REASONS. BUT TWO ARE OUTSTANDING.

FIRST IS THE GROWING BELIEF IN OUR NATION'S OFFICIAL COMMITMENT TO COLLECTIVE BARGAINING AS THE PREFERRED METHOD FOR RESOLVING DISPUTES BETWEEN LABOR AND MANAGEMENT.

SECOND IS THE GROWING AWARENESS THAT THE PRESENT SYSTEM IS CUMBERSOME, UNEVEN AND TOTALLY FRUSTRATING FOR UNIONS AND THEIR MEMBERS.



LET'S TAKE FIRST THINGS FIRST. FROM THE DAY 38 YEARS AGO WHEN THE SUPREME COURT LAID ITS HAND OF APPROVAL ON THE NATIONAL LABOR RELATIONS ACT UNTIL TODAY, COLLECTIVE BARGAINING HAS BEEN THE LEGALLY SANCTIONED CATALYST FOR THE DEVELOPMENT OF LABOR-MANAGEMENT PEACE.

THIS WAS REITERATED IN THE TAFT-HARTLEY ACT NEARLY THREE DECADES AGO. LET ME READ YOU THE EXACT WORDS:



" . . . IT IS THE POLICY OF THE UNITED STATES THAT SOUND AND STABLE INDUSTRIAL PEACE AND THE ADVANCEMENT OF THE GENERAL WELFARE, HEALTH, AND SAFETY OF THE NATION AND OF THE BEST INTEREST OF EMPLOYERS AND EMPLOYEES CAN MOST SATISFACTORILY BE SECURED BY THE SETTLEMENT OF ISSUES BETWEEN EMPLOYERS AND EMPLOYEES THROUGH THE PROCESSES OF CONFERENCE AND COLLECTIVE BARGAINING BETWEEN EMPLOYERS AND THE REPRESENTATIVES OF THEIR EMPLOYEES."



CERTAIN GROUPS OF EMPLOYEES WERE EXCLUDED FROM THE ACT--INCLUDING THOSE WHO TOILED IN THE PUBLIC SECTOR, ON THE FARMS AND IN MOST OF OUR HEALTH-CARE FACILITIES.

A MULTITUDE OF REASONS WAS GIVEN FOR THOSE EXCLUSIONS. BUT TO MY MIND, THE OVERRIDING REASON WAS THAT THESE GROUPS OF WORKERS SIMPLY DIDN'T HAVE THE POLITICAL CLOUT REQUIRED TO BE INCLUDED IN THE CLUB.

AFTER ALL, THERE WERE FEWER THAN FIVE MILLION PUBLIC EMPLOYEES AT THE FEDERAL, STATE AND LOCAL LEVELS AT THAT TIME. AND ONLY A RELATIVE HANDFUL WERE PAYING DUES TO ANY UNION.

FARM WORKERS AND THOSE IN OUR HOSPITALS AND NURSING HOMES WERE, FOR THE MOST PART, QUIETLY TRYING TO SIMPLY SURVIVE AT THE BOTTOM END OF OUR ECONOMIC PYRAMID.



LET'S LOOK AT WHAT HAS HAPPENED  
SINCE. TODAY MORE THAN 15 MILLION AMERICANS  
--NEARLY ONE OF EVERY FIVE WORKERS--RECEIVE  
THEIR PAYCHECKS FROM GOVERNMENTAL AGENCIES.  
AND THE NUMBER OF PUBLIC EMPLOYEES PAYING  
UNION DUES EXCEEDS THE ENTIRE PUBLIC PAYROLL  
OF 30 YEARS AGO. BY ANY STANDARD--MANPOWER,  
MONEY OR TALENT--THAT REPRESENTS A GREAT  
DEAL OF CLOUT.

WE'RE ALL FAMILIAR WITH WHAT HAS  
BEEN HAPPENING DOWN ON THE FARM. AGRICULTURAL  
WORKERS HAVE EFFECTIVELY USED ECONOMIC  
WEAPONS--STRIKES AND BOYCOTTS--IN A LONG,  
BRUTAL AND COSTLY CRUSADE TO GAIN THE SAME  
RIGHTS AS OTHER WORKERS IN THE PRIVATE SECTOR.



IN THE PRIVATE-SECTOR HEALTH-CARE INDUSTRY--WHICH HAS A PAYROLL EXCEEDING TWO MILLION EMPLOYEES IN 23,000 SEPARATE FACILITIES--WORKERS IN GROWING NUMBERS ORGANIZED UNIONS THAT WERE COMMITTED TO ACHIEVING THE BETTER LIFE THROUGH COLLECTIVE BARGAINING.

NOW LET'S LOOK AT THE RESULTS.

IN THE PRIVATE HEALTH-CARE INDUSTRY, THEY ARE CLEAR-CUT.

CONGRESS LAST YEAR ADOPTED A LAW THAT PLACED HEALTH-CARE OPERATORS AND THEIR EMPLOYEES UNDER THE JURISDICTION OF THE NATIONAL LABOR RELATIONS ACT. LITERALLY HUNDREDS OF ORGANIZING CAMPAIGNS HAVE BEEN LAUNCHED BY A DOZEN OR SO UNIONS.



AND DURING THE FIRST NINE MONTHS  
UNDER THE LAW, MORE THAN II HUNDRED  
CONTRACTS HAVE BEEN NEGOTIATED WITH ONLY  
31 STRIKES, NEARLY ALL OF WHICH WERE OF  
SHORT DURATION.



AGRICULTURAL WORKERS ARE MAKING A STRONG BID FOR MEMBERSHIP IN THE COLLECTIVE BARGAINING CLUB. GOVERNOR BROWN OF CALIFORNIA HAS SUBMITTED A PROPOSAL TO THE STATE'S LEGISLATURE THAT WOULD COVER FARM WORKERS IN THAT STATE WITH LEGAL RIGHTS AND OBLIGATIONS SIMILAR TO THOSE OF THE NATIONAL LABOR RELATIONS ACT.

WHILE THIS EFFORT TO BRING A STRUCTURE OF REASON TO AN AREA OF CHAOS IS COMMENDABLE, I AM CONVINCED THAT THE FINAL ANSWER HERE, TOO, LIES IN FOLLOWING OUR NATIONAL POLICY--IN BRINGING AGRICULTURAL EMPLOYEES AND EMPLOYERS UNDER THE TENT OF THE NATIONAL LABOR RELATIONS ACT.

AMONG PUBLIC EMPLOYEES, THE PICTURE IS JUST MIND BOGGLING.



STATES HAVE REACTED TO THE MILITANT EXPRESSIONS OF UNIONISM BY ENACTING A CRAZY-QUILT OF LAWS THAT, WHEN PLACED END-TO-END, REACH NOWHERE.

THIS IS NOT TO IMPLY THAT STATE LEADERS HAVE FAILED TO DO THEIR DUTY AS THEY HAVE SEEN IT. THEY HAVE.

BUT THE RESULTS: WELL, LET ME DESCRIBE THEM WITH A STORY TOLD TO ME BY A FRIEND OF MINE IN GEORGIA.

IT SEEMS HIS PREACHER WAS PRESSED FOR A DOLLAR AND DECIDED TO SELL HIS MULE. THE PREACHER EXPLAINED TO MY FRIEND THAT THE MULE HAD BEEN BEEN TAUGHT TO GO WHEN THE RIDER SAID "PRAISE THE LORD," AND TO STOP WHEN THE RIDER SAID "AMEN."

MY FRIEND MOUNTED THE MULE AND SAID "PRAISE THE LORD!" SURE ENOUGH, THE CRITTER RACED AWAY.



IN TRYING TO STOP THE MULE, MY FRIEND GOT EXCITED AND STARTED SHOUTING "WHOA, WHOA." THE MULE RACED ON.

FINALLY, THE RIDER REMEMBERED AND SAID THE MAGIC WORD, "AMEN!" SURE ENOUGH, THE MULE PULLED UP ABRUPTLY--RIGHT AT THE EDGE OF A CERTAIN-DEATH CLIFF.

MY FRIEND LOOKED DOWN, SIGHED, WIPED HIS BROW, LOOKED TO THE HEAVENS AND SAID:

"PRAISE THE LORD!"

WELL, NOT INFREQUENTLY STATE LAWS--SINCERELY MEANT TO CREATE A SMOOTH COURSE OF LABOR-MANAGEMENT RELATIONS--HAVE INSTEAD BROUGHT EVERYONE INVOLVED TO, AND SOMETIMES BEYOND, THE EDGE OF A BRINK.



THE SOLUTION IN THIS CASE, TOO,  
RESTS IN EXTENDING OUR NATIONAL COMMITMENT  
TO COLLECTIVE BARGAINING:

THERE ARE MORE THAN 78,000 RECOGNIZED  
JURISDICTIONS OF GOVERNMENT IN THE 50 STATES.  
THE EMPLOYEES IN NEARLY 20,000 OF THEM ARE  
ORGANIZED.

MOST OF THE EMPLOYEE ORGANIZATIONS  
ARE NATIONAL IN SCOPE. A SIZEABLE SHARE OF  
THE FUNDS AND, INCREASINGLY, THE JOBS INVOLVED  
ARE MADE AVAILABLE THROUGH FEDERAL PROGRAMS.

THE SEQUENCE OF COMMON SENSE--OR  
PRAGMATISM, IF YOU LIKE--INDICATES THAT IN THE  
NOT TOO DISTANT FUTURE CONGRESS WILL BE  
CONVINCED THAT STATE AND LOCAL LABOR-MANAGEMENT  
RELATIONS WOULD BE VASTLY IMPROVED BY APPLYING  
ONE SET OF RULES FOR WHAT IS BECOMING ONE  
COMMON GAME.



THE FEDERAL SECTOR--YOUR BALLPARK--  
PRESENTS A SLIGHTLY DIFFERENT PUZZLE.

AS I SAID EARLIER, OUR EMPLOYER IS  
A GOOD EMPLOYER. CONGRESS HAS REACTED TO  
THE LOBBYING EFFORTS OF FEDERAL UNIONS.

THE EXECUTIVE ORDERS HAVE ESTABLISHED  
A MECHANISM UNDER WHICH MANAGEMENT AND  
LABOR HAVE BEEN ABLE TO BUILD AT LEAST A  
TENUOUS RELATIONSHIP THAT HAS HELPED TO RESOLVE  
INTERNAL CONFLICTS.

AND YET EVERYONE IN THIS ROOM KNOWS  
THAT AN EXECUTIVE ORDER, IN THE MINDS OF  
MANY, IS A WEAK SUBSTITUTE FOR LAW. AN  
EXECUTIVE ORDER--WHETHER FROM THE HAND OF A  
REPUBLICAN OR A DEMOCRAT--BEARS THE INESCAPABLE  
MARK OF MANAGEMENT.



FROM PRESIDENT KENNEDY'S PIONEERING  
EFFORT -- EXECUTIVE ORDER 10988 WHICH  
SANCTIONED COLLECTIVE BARGAINING--THROUGH  
PRESIDENT FORD'S SINCERE EFFORT TO MAKE THE  
SYSTEM WORK BETTER, OUR LEADERS HAVE  
DISPLAYED A RECOGNITION OF THE PROBLEMS  
ENCOUNTERED BY UNIONS AND AGENCY OFFICIALS.

AND STILL THE TRUTH REMAINS THAT  
THERE IS PRECIOUS LITTLE COLLECTIVE BARGAINING  
IN THE FEDERAL SECTOR.

AND SO LONG AS UNIONS ARE RESTRICTED  
FROM BARGAINING ON ALL OF THE VITAL ECONOMIC  
ISSUES--WAGES, PENSIONS, MEDICAL CARE,  
VACATIONS, HOLIDAYS, INSURANCE. . .AND MANY  
ASPECTS OF A MULTITUDE OF NONECONOMIC ISSUES--  
SENIORITY, JOB TRANSFERS , DISCIPLINE, PROMOTION  
UNION SECURITY. . .THERE CAN BE NO FULFILLMENT  
OF OUR NATIONAL POLICY IN THE GOVERNMENT'S  
OWN HOUSE.



THE END PRODUCT, ALL TOO FREQUENTLY, IS A CONTRACT THAT SIMPLY RESTATES WHAT MANAGEMENT SAYS MANAGEMENT WILL DO--AND PROVIDING ONLY THE PROTECTION TO GRIEVE SHOULD MANAGEMENT VIOLATE ITS OWN RULES.

I BELIEVE THAT THIS CONDITION, IN ITSELF, CAN BE AND SHOULD BE RELIEVED THROUGH THE ADOPTION OF FEDERAL LEGISLATION BRINGING TRUE COLLECTIVE BARGAINING TO YOUR MEMBERS.

THE HISTORY OF THE DEVELOPMENT OF COLLECTIVE BARGAINING LEGISLATION LEADS ME TO CONCLUDE THAT DELAY CARRIES WITH IT SOME INHERENT DANGERS.

LET'S LOOK TO THE RECORD.

THE NATIONAL LABOR RELATIONS ACT ITSELF CAME IN RESPONSE TO SEVERE ECONOMIC TURMOIL AND HUMAN SUFFERING.



COLLECTIVE BARGAINING LEGISLATION AT THE STATE LEVEL HAS TRADITIONALLY COME IN THE WAKE OF MILITANT STRIKE ACTION.

LAST YEAR'S EXTENSION OF THE NATIONAL LABOR RELATIONS ACT TO THE PRIVATE HEALTH-CARE INDUSTRY WAS AIMED AT COOLING A SIMMERING TROUBLE SPOT BEFORE IT BOILED OVER.

AND THE CAMPAIGN TO PLACE AGRICULTURAL WORKERS UNDER THE NLRA COMES AFTER YEARS OF NASTY BATTLING.

I BELIEVE THAT IT IS APPROPRIATE TO MENTION THAT PASSAGE OF THE POSTAL REORGANIZATION ACT COINCIDED WITH THE FIRST MAJOR STRIKE BY FEDERAL EMPLOYEES IN THE HISTORY OF OUR NATION.



NOW I CERTAINLY AM OPPOSED TO ANY ILLEGAL STRIKE BY FEDERAL EMPLOYEES--AND I AM CONVINCED THAT EVERYONE IN THIS ROOM IS IN AGREEMENT WITH ME.

BUT I DO FEEL THAT WE WOULD DO WELL TO HEED THE LESSONS OF HISTORY.

I FEEL THAT IT IS INCUMBENT ON EACH OF US TO DO EVERYTHING WITHIN OUR POWER TO MAKE THE SYSTEM THAT EXISTS--EVEN WITH ITS SHORTCOMINGS--WORK TO THE HIGHEST POSSIBLE DEGREE.

AND THAT BRINGS ME TO THE FINAL POINT I WANT TO DISCUSS--THE EXPANDING RELATIONSHIP BETWEEN THE AFGE AND THE FEDERAL MEDIATION AND CONCILIATION SERVICE.



SOON AFTER I BECAME DIRECTOR OF THE FMCS, I NOTICED THE LONG DELAYS--SOMETIMES THREE YEARS AND MORE--BETWEEN THE CERTIFICATION OF A UNION OF FEDERAL EMPLOYEES AND THE CONSUMMATION OF AN AGREEMENT.

TO ME, THIS WAS A RED FLAG. I KNEW THAT SUCH DELAYS COULD ONLY RESULT IN BITTER FRUSTRATION BY EMPLOYEES WHO HAD PLACED THEIR FAITH--AND THEIR DUES DOLLARS--IN A UNION IN THE HOPES OF ALLEVIATING SOME SERIOUS PROBLEMS.

THERE WERE MANY REASONS FOR THE DELAYS. INEXPERIENCE IN THE FINE ART OF NEGOTIATIONS BY BOTH LABOR AND MANAGEMENT REPRESENTATIVES WAS ONE. DEEP-SEATED DEPENDENCE ON LOBBYING BY THE UNIONS WAS ANOTHER. A COMBINATION OF RESENTMENT AND RELUCTANCE BY GOVERNMENT MANAGERS WAS A THIRD.



IT WAS OBVIOUS TO ME THAT SOMEONE  
HAD TO BECOME AN AGGRESSOR.

NOW BEING AN AGGRESSOR IS A STRANGE  
ROLE FOR A MEDIATOR TO PLAY--EXCEPT WHEN  
THE GOAL IS THE DEVELOPMENT OF A REASONABLE,  
RESPONSIBLE CLIMATE BETWEEN LABOR AND  
MANAGEMENT.

SO I ASSEMBLED SEVERAL MEMBERS  
OF MY TEAM, AND WE STARTED ON A CAMPAIGN  
OF PUSHING BOTH UNIONS AND MANAGERMENTS  
TOWARD FULFILLING THEIR OBLIGATION OF  
NEGOTIATING CONTRACTS.

WITH THE COOPERATION OF THE PARTIES,  
WE HAVE HAD SOME SUCCESS THAT CAN BE  
REFLECTED IN THESE NUMBERS:



--IN 1972, BEFORE WE ASSIGNED MEDIATORS TO WATCH EVERY FEDERAL CASE, AGREEMENTS COVERING 46,000 EMPLOYEES WERE CONCLUDED. THAT NUMBER WAS DOUBLED IN 1973, AND LAST YEAR IT JUMPED TO NEARLY 150,000.

--THROUGH THE FIRST 10 MONTHS OF FY 1975, OUR MEDIATORS CLOSED 398 CASES-- NEARLY DOUBLE THE NUMBER OF CASES CLOSED DURING A COMPARABLE PERIOD IN THE PREVIOUS YEAR.

--DURING THE PAST 10 MONTHS, WE HAD CONDUCTED 456 JOINT MEETINGS -- WHERE MEDIATORS WERE AT THE BARGAINING TABLE WITH THE PARTIES. THAT IS FAR ABOVE THE 279 JOINT MEETING CASES WE RECORDED DURING THE SAME PERIOD IN THE PREVIOUS YEAR.



--OF ALL OF THE CASES OUR MEDIATORS ARE INVOLVED IN, 77 PERCENT ARE RESULTING IN AGREEMENTS.

TO BE SURE, THIS IS PROGRESS. BUT WE ARE STILL A SUBSTANTIAL DISTANCE FROM THE GOAL LINE.

A RECENT CHECK SHOWED US THAT THERE ARE NEARLY 300 FEDERAL-SECTOR CASES THAT HAVE BEEN DRAGGING ON FOR MONTHS.

IT WON'T SURPRISE YOU TO KNOW THAT A GOOD PORTION OF THEM INVOLVE THE LARGEST UNION OF FEDERAL EMPLOYEES--AND YOU KNOW WHO THAT IS.

I MUST SAY, THOUGH, THAT YOU'RE OBVIOUSLY DOING AN OUTSTANDING JOB HERE IN UTAH. THAT LIST INCLUDED ONLY ONE OF YOUR UNITS--THE 10 PEOPLE AT AGRICULTURE'S WESTERN AERIAL LAB HERE.



OTHERS RANGE IN SIZE UP TO THE 12,340 PEOPLE REPRESENTED BY AFGE AT AN AIR FORCE INSTALLATION AT WARNER-ROBINS, GEORGIA.

THE TOTAL COOPERATION WE HAVE RECEIVED FROM AFGE OFFICIALS--FROM CLYDE WEBBER AND NICK NOLAN AND JOHN MULHOLLAND RIGHT ON UP TO THE LOCAL LEVEL--MAKES ME CONFIDENT THAT WE CAN BRING IN CONTRACTS IN EVERY AFGE LOCAL.

THE COMMITMENT TO COOPERATION THAT I HAVE RECEIVED FROM YOUR UNION HAS BEEN COMFORTING.

IT HAS BEEN COMFORTING BECAUSE IT HAS MADE ME AWARE THAT WHEN THE DAY OF FEDERAL LEGISLATION DOES COME, THE AFGE WILL BE READY. YOU WILL HAVE THE DEDICATED, TALENTED PEOPLE WHO WILL BE NEEDED TO MAKE IT WORK--TO THE BENEFIT OF FEDERAL EMPLOYEES, OF MANAGEMENT AND OF OUR ULTIMATE BOSS--THE CITIZENS OF THIS GREAT NATION.